

REMARKS

I. Formal Matters

By this amendment, claims 40-52 and 91 are pending and claims 1-39, 53-90 and 92 are cancelled without prejudice against their reintroduction into this or any subsequent divisional or continuing applications.

II. Restriction Requirement

In the above-referenced Office Action, the Examiner required election between one of the following groups of claims:

Group I: A system for treating a blood sample (claims 1-13, 90);

Group II: A system for determining at least one analyte in a blood sample (claims 14-39, 90);

Group III: A method of treating a blood sample that comprises at least one analyte (claims 40-52, 91); and

Group IV: A method for treating a blood sample including a reader apparatus (claims 53-68, 80-89, 92).

Applicant hereby elects to prosecute the claims of **Group III, claims 40-52 and 91**, with traverse. As stated in the MPEP §803, if search and examination of an entire application can be made without serious burden, the Office must examine the entire application on the merits, even though the entire application includes claims to independent or distinct inventions. It is the Applicant's position that it would not be unduly burdensome to perform a search on all of the claims together in the present application. Accordingly, the Applicant traverses the restriction requirement.

In accord with 37 CFR §1.142(b), Applicant has canceled claims to non-elected subject matter consistent with this election. Applicant expressly reserves the right under 35 USC § 121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in this application during the pendency of this application.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number ADCI-010.

Respectfully submitted,
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